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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,949	02/25/2004	Wim van de Camp	31599/268646	3781

826 7590 06/28/2006

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EXAMINER

KIM, SANG K

ART UNIT	PAPER NUMBER
3654	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/786,949

Applicant(s)

VAN DE CAMP, WIM

Examiner

SANG KIM

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE 6/2/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-23 and 25-28 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/2/06 has been entered.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-5, 11-12, 14-15, 22 and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Dorfel, U.S. Patent No. 5240198.

Regarding claims 1-2, 11-12, 22 and 27, Dorfel '198 discloses a method of using the apparatus, as shown in figures 2-3. Dorfel '198 shows a unitary cylindrical core member (26 and 33 forming a cylindrical core) having an inner surface (26), an outer surface (33), and first and second ends (left and right ends); a chuck-engaging layer (a surface layer portion of 26 contacted by the tube 21 and driven by the end piece 22 as one piece) attached on the inner surface of the core member, wherein a hardness of the chuck-engaging layer is less than a hardness of the core member (Note: a hardness of

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steel is greater than a hardness of rubber); and a chuck (22 and 23) rotates about a longitudinal axis extending through the core member to wind and unwind a web material about the outer surface of the core member.

Regarding claim 28, Dorfel '198 shows the outermost layer 33 of the core member is circumferentially continuous and cylindrical, see figure 3.

Regarding claims 4-5 and 14-15, Dorfel '198 discloses the chuck-engaging layer made from elastic and flexible polyurethane material, see column 4, lines 36-40.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorfel, U.S. Patent No. 5240198.

Regarding claims 6-9, Dorfel '198 does not explicitly explain the dimensions with respect to the core member of inner and outer diameters.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the size ranges specified in the claims when making the core, it being well known in the art to size rolls and cores to correspond to the nature of the material being wound. It would have been well within the level of skill of one skilled

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in the art to select the claimed dimensions based on considerations such as the material and size of roll desired.

Regarding claims 10 and 25, Dorfel '198 shows the chuck-engaging layer extends the entire length due to the chuck extending all the way through the core member.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the chuck-engaging layer with respect to the chuck's length to reduce costs. Note: Applicant recognizes that the length of the chuck-engaging layer could be any length to accommodate different sized chucks, see specification on page 9, lines 12-13.

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorfel, U.S. Patent No. 5240198, in view of EP 1211214.

Dorfel '198 does not teach a paper-based material for the inner layer and a glass fiber reinforced plastic material for the outer layer.

EP '214 teaches the tube made of different materials, such as paper, fiberglass or the like for the inner and outer layers, see columns 2-4.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the materials of Dorfel '198 with the materials taught by EP '214, to provide an easier grip with respect to the chucks and prevent the core from being damaged during winding and unwinding of heavy materials.

Claims 16-19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorfel, U.S. Patent No. 5240198, in view of Montalvo, U.S. Patent No. 5326113.

Regarding claims 16-17 and 26, Dorfel '198 shows the chuck (21-23) which is made to rotate the core, but does not show a double row of expanding elements.

Montalvo '113 shows chucks (left and right ends) with a double row of expanding elements (69) to engage the core, figure 4.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the chuck of Dorfel '198 with a double row of expanding elements to engage the core and supporting both ends as taught by Montalvo '113, to help engage the core better.

Regarding claims 18-19, as advanced above, Dorfel '198 in view of Montalvo '113 does not explicitly explain the dimensions with respect to the core member of inner and outer diameters.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the size ranges specified in the claims when engaging the chuck into the core, it being well known in the art to size rolls, chucks, and cores to correspond to the nature of the material being wound. It would have been well within the level of skill of one skilled in the art to select the claimed dimensions based on considerations such as the material and size of roll desired.

Claims 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorfel, U.S. Patent No. 5240198, in view of Fejer, Science and Technology.

Dorfel '198 does not explicitly explain a chuck factor of at least .85 when rotating the chuck 21.

Fejer explains a chuck factor of at least .85 when rotating the chuck, see pages 37-38.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the chuck with rotation of the chuck with at least .85 of chuck factor as taught by Fejer, to provide stability and limit the vibration frequency during winding and unwinding.

#### ***Allowable Subject Matter***

Claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant has amended claims 1, 11 and 22.

Applicant's arguments with respect to claims 1-19 and 21-28 have been considered but are moot in view of the new ground(s) of rejection.

The added recitation that the winding core is unitary cylindrical and/or the outermost layer of the core member is circumferentially continuous and cylindrical necessitated the new grounds of rejection as set forth above.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

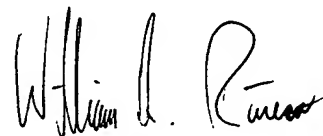
Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 571-272-6947. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

6/21/06

A handwritten signature in black ink, appearing to read 'William A. Rivera', with a stylized flourish at the end.

**WILLIAM A. RIVERA  
PRIMARY EXAMINER**